IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 32255 of 2007(M)

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PETITIONER:

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1. SUBRAMANIAN, S/O RAMAN,
   MEKKAD HOUSE, VELLIKULANGARA P.O.,
   THRISSUR.

2. RAJAN, S/O LAKSHMANAN,
   MEKKAD HOUSE, VELLIKULANGARA P.O.,
   THRISSUR.

BY ADV. SRI.DILIP J. AKKARA

RESPONDENTS:

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1. THE ADDITIONAL DISTRICT MAGISTRATE,
   THRISSUR, COLLECTORATE, AYYANTHOLE P.O.,
   THRISSUR-3.

2. KERALA STATE ELECTRICITY BOARD,
   REP. BY ITS SECRETARY, VYDHYUTHI BHAVAN,
   THIRUVANANTHAPURAM-1.

3. THE ASST. EXECUTIVE ENGINEER,
   ELECTRICAL SUB DIVISION, KSEB,
   CHALAKUDY, 680307.

4. KHADAR, S/O UNNI, VIII/401,
   MUDAVANKATTIL HOUSE, VELLIKULANGARA P.O.,
   THRISSUR-680693.

R1 BY G.P. SRI.BENJAMIN PAUL
R2&3 BY ADV. SRI.P.P.THAJUDEEN, SC
R4 BY ADV. SRI.T.N.MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

P1: PHOTOCOPY OF ROUGH SKETCH.

P2: PHOTOCOPY OF OBJECTION DT.13.4.07 FILED BEFORE R1.

P3: PHOTOCOPY OF ORDER DT.4.10.07 DT.4.10.07.

RESPONDENT'S EXHIBITS:

R4(a): TRUE COPY OF INTIMATION RECEIVED FROM THE OFFICE OF THE HON'BLE MINISTER FOR ELECTRICITY.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.32255 of 2007

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Dated this the 30th day of November, 2007.

JUDGMENT

The W.P. is filed challenging electric connection given to the 4th respondent on the ground that the line passes through the property of the petitioners. Standing Counsel for KSEB produced a sketch which shows the houses of two petitioners and of the beneficiary. It is seen from the sketch that the connection is given to 4th respondent through a weatherproof line from a post standing on the road side. According to the petitioners, the road is a private road belonging to the petitioners' family and it leads to a temple. However, the sketch shows that the road serves several people and some of them do not belong to petitioners' community as is evident from their names. Therefore, the road is obviously used by large number of public and I see no justification for petitioners' objection against giving connection to the beneficiary from the post standing on the road. I find petitioners have no grievance and obviously the W.P. is filed without any bonafides. The W.P. is therefore dismissed as devoid of any merit.

C.N.RAMACHANDRAN NAIR
Judge

pms